CITY OF EL PASO, TEXAS AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: <u>BUILDING PERMITS AND INSPECTIONS</u>
AGENDA DATE: APRIL 12 TH , 2005
CONTACT PERSON/PHONE: TOM MAGUIRE 541-4800
DISTRICT(S) AFFECTED: 2
SUBJECT: APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.
APPROVE A RESOLUTION TO DECLARE THE PROPERTY AT 2910 GRANT AVENUE UNFIT FOR USE OR
HABITATION AND A HAZARD TO THE PUBLIC HEALTH, SAFETY AND WELFARE.
BACKGROUND / DISCUSSION: Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?
APPROVE, DISAPPROVE OR POSTPONE DEPARTMENT RECOMMENDATIONS.
PRIOR COUNCIL ACTION: Has the Council previously considered this item or a closely related one?
AMOUNT AND SOURCE OF FUNDING: How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?
COST OF ACTION TO BE BILLED TO OWNER IF COUNCIL ORDER NOT COMPLIED WITH, LIEN
PLACED ON PROPERTY, IF NECESSARY.
BOARD / COMMISSION ACTION: Enter appropriate comments or N/A
N/A

DEDARTMENT HEAD.
(Example: if RCA is initiated by Purchasing, client department should sign also) Information copy to appropriate Deputy City Manager
APPROVED FOR AGENDA:
CITY MANAGER: DATE:

COUNCIL AGENDA ITEM # ____ FOR TUESDAY, APRIL 12TH, 2005

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM March 25, 2005

TO:

The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM:

Tom Maguire, Housing Compliance Supervisor

SUBJECT:

2910 Grant Avenue

(Rep. District #2)

The following is a brief chronology of the investigation of the referenced location:

- 1) First investigated October 21st, 2004. The building was found to be in an advanced state of disrepair.
- 2) A certified condemnation letter was mailed to the owner, Angel C. Lara, 2910 Grant Avenue, El Paso, Texas 79930.
- 3) Certified notices of the public hearing scheduled for April 12th, 2005 were mailed to the owners and all interested parties on March 18th, 2005.
- 4) There has been no response from the owner.

The Department recommends that it be found:

- 1) That the main structure and accessory building be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structure's certificate of occupancy be revoked; and
- 4) That the structure can not be repaired; and
- 5) That the main structure and accessory building be demolished within 30 days; and
- 6) That the premises be cleaned of all weeds, trash, and debris within 30 days.



BUILDING PERMITS AND INSPECTIONS CODE COMPLIANCE October 25, 2004

Angel C. Lara 2910 Grant Ave. El Paso, Texas 79930-2802

> Re: 2910 Grant Ave. Lots: 7 & 8 Blk: 5, Castle Heights Zoned: R-3H COD04-17055 Certified Mail Receipt #

7004 1160 0007 2324 9642

CITY COUNCIL

SUSAN AUSTIN DISTRICT NO. 1

ROBERT A. CUSHING Jr. DISTRICT NO. 2

JOSE ALEXANDRO LOZANO DISTRICT NO. 3

> JOHN COOK DISTRICT NO. 4

DANIEL S. POWER DISTRICT NO. 5

PAUL J. ESCOBAR DISTRICT NO. 6

VIVIAN ROJAS DISTRICT NO. 7

ANTHONY COBOS DISTRICT NO. 8

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue. which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

DOCUMENT #102204

2910 Grant Avenue

- c. Boarded up, fenced, or otherwise secured in any manner in if:
- i. The building constitutes a danger to the public even though secured entry, or
- ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 2910 Grant Avenue has the following violations:

- a. The foundation has not been maintained in a safe manner.
- b. The floors have not been maintained in a safe manner.
- c. The walls have not been maintained in a safe manner free of holes and cracks.
- d. The roof structure has not been maintained free of defects that may cause leaks.
- e. The plumbing system is inadequate and does not meet minimum code requirements.
- f. The electrical system is inadequate and does not meet minimum code requirements.
- g. The HVAC system is inadequate and does not meet minimum code requirements.
- h. The premises are full of weeds, trash, and debris.
- i. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address

2910 Grant Avenue

of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 54l-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:

Bill Stern

Building Inspector

BS/rl

EL PASO CITY COUNTY HEALTH DISTRICT ENVIRONMENTAL HEALTH SERVICES

MEMORANDUM

DATE:

11-02-04

MEMO TO:

Tom Maguire, Housing Compliance Supervisor

FROM

Ben Blumenfeld, Environmental Health Inspector

SUBJECT

Condemnation Report Request

RE

2910 Grant Ave.

An inspection of the property was conducted on 10-29-04 and the conditions checked were found in violation of Title 9 – Health and Safety, El Paso Municipal Code.

Section 9.04 - SOLID WASTE STORAGE AREA:

Trash was noted in the front and back yard and in the alley

SECTION 9.04.340 – ACCUMULATIONS:

Rubbish, tires and debris were noted in the alley and the yard.

SECTION 9.16 - NUISANCE:

Tall weeds were noted.

SECTION 9.16.010 - DESIGNATED:

The roof on the garage is falling in, the garage door is missing, the rear gate in the alley is missing.

SECTION 9.28 – RAT CONTROL:

N/A

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 12th day of April, 2005 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 2910 Grant Avenue, in El Paso, Texas, which property is more particularly described as:

Lots: 7 and 8, Block 5, Castle Heights, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 4, Page 32, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Angel C. Lara, 2910 Grant Avenue, El Paso, Texas 79930, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Adopted this 15th day of March, 2005.

APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
Lisa A. Hayes	Tom Maguire
Assistant City Attorney	Housing Compliance Supervisor

City of El Paso, hereby certify that a true and 15 th , 2005 regarding the property located at al City newspaper on theday
Richarda Duffy Momsen
ng Notice dated March 15 th , 2005 regarding CERTIFIED-RETURN RECEIPT
Date: Time:
Inspector
g Notice dated March 15 th , 2005 regarding CERTIFIED-RETURN RECEIPT
Date: Time:
Inspector
g Notice dated March 15 th , 2005 regarding CERTIFIED-RETURN RECEIPT
Date: Time:
Inspector

I certify that a true and correct copy of the foregoing Notice dated March 15th, 2005 regarding the property at 2910 Grant Avenue, was (HAND-DELIVERED) to: City of El Paso C/O City Clerk #2 Civic Center Plaza El Paso, TX 79901 Date:_____ Time:_____ Inspector I certify that a true and correct copy of the foregoing Notice dated March 15th, 2005 regarding the property at 2910 Grant Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to: Governor of the Ysleta Del Sur Pueblo Indian Tribe AKA Tigua Indian Community 119 S. Old Pueblo Road El Paso. Texas 79907 Date:_____ Time:____ Inspector I certify that a true and correct copy of the foregoing Notice dated March 15th, 2005 regarding the property at 2910 Grant Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to: El Paso Central Appraisal District 5801 Trowbridge Ave. El Paso, Texas 79925 Date:_____ Time: Inspector I certify that a true and correct copy of the foregoing Notice was POSTED at

Date:_____

Inspector

2910 Grant Avenue, El Paso, Texas.

I certify that a true and correct copy of the foregointhe property at 2910 Grant Avenue, was (MAILED REQUESTED) to:	ng Notice dated March 15 th , 2005 regarding CERTIFIED-RETURN RECEIPT
Irene Flores Lara 2910 Grant Avenue El Paso, Texas 79930	
	Date: Time:
	Inspector
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Irene Flores Lara 1001 S. Ochoa St. El Paso, Texas 79901	
	Date: Time:
	Inspector
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Jesus Javier Velarde 1045 Clint El Paso, Texas 79849	
LIT 430, 16A43 13043	Date:
	Inspector
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Rene Flores 3907 Trowbridge Dr. El Paso, Texas 79903	
Li Faso, Texas 79903	Date:
	Time:
	Inspector

BUILDING PERMITS AND INSPECTIONS DEPARTMENT CODE COMPLIANCE

Re: **2910 Grant Avenue** Blk: 5, Castle Heights

Lots: 7 & 8

Attention:

To the owner, tenant, or person in charge, or any agent of any thereof, for the structure located at: 2910 Grant Avenue, El Paso, Texas, legal description appearing above.

Date of Notice:

November 4, 2004

This letter is to inform you that pursuant to Title 18, Chapter 18.52, Section 18.52.020 of the El Paso Municipal Code (a copy of which is attached), the Director of Building Permits and Inspections is **ordering all persons to keep out of the above referenced building**. The Director, by and through Code Inspectors Tom Maguire and Bill Stern, and in cooperation with City Fire Officials, has determined that there is good cause to vacate the structure at 2910 Grant Avenue, as it violates City Codes regulating plumbing, electricity, ventilation and means of egress. These violations constitute an imminent danger and a threat to public health and safety through potential for electric shock, fire and spread of disease.

Until the structure is brought into full compliance with the building, plumbing, electrical and fire codes it may not be re-occupied. Codes pertaining to the standards for breaker panels, means of egress, connections to approved sewers, location of electrical fixtures in bathrooms and installation of water heaters must be complied with. Any future use of the building will be determined by applicable zoning ordinances.

You have a right to be heard on this matter pursuant to Municipal Code Section 18.52.020(B). The owner, tenant or person in charge of the above-referenced property may demand and receive a hearing before City Council at the earliest practicable time.

Please contact me if you have any questions at 541-4800.

Tom Maguire Building Inspector

TM/rl

BUILDING PERMITS AND INSPECTIONS DEPARTMENT CODE COMPLIANCE

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Please contact me if you have any questions at 541-4800.

Tom Maguire Building Inspector

TM/rl

	SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature A. Signature A. Signature Agent Addressee B. Received by (Printed Name) C. Date of Delivery 1/22/04 D. Is delivery address different from item 1? Yes If YES, enter delivery address below:
	Angel C. Lara 2910 Grant Ave. El Paso, Texas 79930-2802 Re: 2910 Grant Avenue	3. Service Type Certified Mail
	Lh.	4. Restricted Delivery? (Extra Fee) ☐ Yes
	2. Article Number (Transfer from service label) 7004 116	0 0007 2325 7364 102595-02-M-1540
• ,	PS Form 3811, February 2004 Domestic Ret	turn necesp. 102595-02-M-1540

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UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: February 16th, 2005

REP. DISTRICT: 2

ADDRESS: 2910 Grant Avenue

ZONED: R-3H

LEGAL DESCRIPTION: Lots 7 and 8, Block 5, Castle Heights, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 4, Page 32, Plat Records of El Paso County, Texas

OWNER: Angel C. Lara

ADDRESS: 2910 Grant Avenue

BUILDING USE: Open and abandoned single-family dwelling

TYPE OF CONSTRUCTION: V – Wood frame with brick structural 3 wythe exterior walls.

FOOTINGS: Concrete and partial rubble stone and mortar.

CONDITION: Fair. Most footings are subterranean and must be evaluated by an engineer to determine actual condition.

FOUNDATION WALL: Brick and rubble stone and mortar. CONDITION: Fair. Needs only mortar replaced and cleaned.

FLOOR STRUCTURE: 2 x 10 floor joists covered by 3/4" decking.

CONDITION: Poor. Floor structure should be evaluated by an engineer and repaired as needed.

EXTERIOR WALLS: 3 wythe brick and 2 x 4 framing with brick veneer and 2 x 4 with wood siding.

HEIGHT: 12'

THICKNESS: 9"

CONDITION: Fair. Exterior walls have been exposed to fire damage and should be evaluated by a structural engineer to determine condition.

INTERIOR WALLS & CEILINGS: 2 x 4 wall, 2 x 4 and 2 x 6 ceilings.

CONDITION: Poor. Most framing has been destroyed by fire.

ROOF STRUCTURE: 2 x 6 joist and rafter

CONDITION: Poor. Most roof structure has been destroyed by fire.

DOORS, WINDOWS, ETC.: Wood doors and wood sash windows and aluminum windows

CONDITION: All doors and windows damaged by fire and should be replaced with code-

approved units.

MEANS OF EGRESS: N/A

CONDITION:

All plumbing, electrical and mechanical systems must be evaluated by licensed contractors and replaced or repaired as needed.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: $\,0\,$

WARNING POSTED: Yes

BARRICADED: No POLICE A

POLICE AID REQD.: No

REMARKS: This building has been destroyed by fire and would not be economically feasible to repair. The building is open and abandoned and will continue to be an attractive nuisance and is being entered by unwanted people. We have received many complaints from the police and the neighbors. The main and/accessory structure should be demolished as soon as possible.

Bill Stern-

Building Inspector

EL PASO CITY COUNTY HEALTH DISTRICT ENVIRONMENTAL HEALTH SERVICES

MEMORANDUM

DATE

11-02-04

MEMO TO:

Tom Maguire, Housing Compliance Sepervisor

FROM

Ben Blumenfeld, Environmental Health Inspector

SUB.IECT

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SECTION 9.16 - NUISANCE:

Tall weeds were noted.

SECTION 9.16.010 - DESIGNATED:

The roof on the garage is falling in, the garage door is missing, the rear gate in the alley is missing.

SECTION 9.28 - RAT CONTROL:

N/A

The City of El Paso Two Civic Center Plaza El Paso, Texas 79901-1196



7004 0750 0003 1322 9641



Building Permits and inspections **Code Enforcement**



I Irene Flores Lara 1001 S. Ochoa St. El Paso, Texas 79901



MAR 22 2005 -- University of the pasic

الصابيا المتطلقة المستوات الباليانية

The City of El Paso

Two Civic Center Plaza El Paso, Texas 79901-1196

Building Permits and Inspections Code Enforcement

Chiyu-Elma0

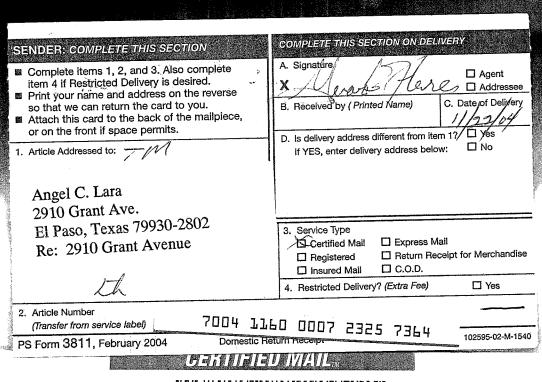


7004 1160 0007 2324 9642



Angel C. Larra 2910 Grant Ave. El Paso, Texas 79930-2802

Radilahidan Bahallahin bahal



wo Civic Center Plaza to, Texas 79901-1196

The City of El Paso



7004 0750 0000 1322 8094

FASO M1217-05

13. POSTAGE 1 0 4,65:

Permits and Inspections

ode Enforcement

RETURN RECEIPT REQUESTED

Angel C. Lara 5025 Andes Drive El Paso, Texas 79904

MAR 22 2005
BUILDING SERVICE

Hadidahlan Madadhladahdad